

Censored Science

Udall Q17:

The recently proposed “Strengthening Transparency in Regulatory Science” rule has been on the wish-list of industry for a long time as it could lead to weaker, less-scientifically based regulations to the detriment of public health. In the EPA Press Release announcing the Proposed Rule, EPA implies this proposal is consistent with recommendations on data transparency from major scientific journals including *Science*, *Nature*, the *Proceedings of the National Academy of Sciences*. However, a joint statement signed by the Editors-in-Chief of these publications in response to the Proposed Rule said: “It does not strengthen policies based on scientific evidence to limit the scientific evidence that can inform them; rather, it is paramount that the full suite of relevant science vetted through peer review, which includes ever more rigorous features, inform the landscape of decision making. Excluding relevant studies simply because they do not meet rigid transparency standards will adversely affect decision-making processes.”

- a) Did you consult with the leaders of the journals you cited in your press release prior to release of the Proposed Rule?

Answer:

- b) Please provide a list of all scientists, science-based organizations and associations, lobbyists, industry trade associations, and industry representatives you consulted in developing the Proposed Rule.

Answer:

It has been reported that EPA staff analysis of a similar policy (HONEST Act) that governs which scientific analyses can be used by the Agency in regulatory proceedings found the costs to EPA of implementing such policy would be enormous – “\$250 million a year for the next few years.” This seems to undermine your goal of making EPA “lean.”

- c) Why did EPA opt to not release this staff analysis of implementing a policy like the HONEST Act? Or why did EPA fail to complete a new analysis of the costs of implementing the Proposed Rule?

Answer:

- d) Will you commit to providing a quantitative assessment of the estimated costs to EPA of implementing the Proposed Rule?

Answer:

Numerous organizations and scientific experts have been highlighting consequential human health studies that could be excluded from consideration by EPA under the Proposed Rule. A study that looked at the high level of neurotoxic mercury found in newborns in the Great Lakes area, for example, would be excluded if the Proposed Rule is finalized.

- e) Given the sensitivity of the unborn to pollution, in particular, will EPA commit to allowing all peer-reviewed, scientific studies that show harmful impacts to the unborn from various forms of pollution to continue to be used in regulatory decision-making, as appropriate, regardless of whether they meet the so-called “transparency” guidelines you are trying to establish under the Proposed Rule? Why or why not?

Answer:

- f) Have you prepared a list of all scientific analyses that EPA has used in regulatory decision making that would be excluded under the requirements of the Proposed Rule? Will you commit to release that for public review?